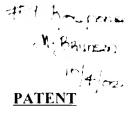


## **EXPEDITED PROCEDURE - EXAMINING GROUP 2814**



### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Leonard Forbes et al.

Examiner: Theresa T. Doan

Serial No.:

09/883,795

Group Art Unit: 2814

Filed:

June 18, 2001

Docket: 303.355US4

Title:

DEAPROM AND TRANSISTOR WITH GALLIUM NITRIDE OR GALLIUM

ALUMINUM NITRIDE GATE

# RESPONSE UNDER 37 C.F.R. § 1.116

Box RCE

Commissioner for Patents

Washington, D.C. 20231

In response to the final Office Action dated 14 June 2002, the applicant respectfulty requests reconsideration of the above-identified application in view of the following remarks. Claims 24-26 and 30-61 are pending in the application, and are rejected. None of the claims have been amended.

### Double Patenting

Claims 24-26 and 30-61 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 22 in U.S. Patent No. 6,031,263. The applicant will address this rejection when the claims are otherwise indicated as allowable.

### Rejections Under 35 U.S.C. §103

Claims 24, 30, 32-33, 37-38, 42-43, 47-48, 52-53, and 57-58 were rejected under 35 USC 8 103(a) as being unpatentable over Hori (U.S. Patent No. 5,604,357). The applicant respectfully traverses

The final Office Action rejected claims 24, 30, 32-33, 37-38, 42-43, 47-48, 52-53, and 57-58 based on Figure 7(e) and text in column 25 of Hori. However, Figure 7(e) is described as part of Example 2 in columns 14-16. None of the text referred to in the rejection describes Figure 7(e). The text in column 25 describes the structure of Figure 15(a), which does not include a source or a drain.